

REMARKS

Claims 1-10 are pending in the application.

Claims 1 and 2 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the Applicants regard as their invention. It is believed that this Amendment is fully responsive to the Office Action dated **September 11, 2002**.

Objection to the Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter.

In item 1 of the office action, the specification was objected to under 37 CFR § 1.75 (d) (1) and MPEP § 608.01 (0). Specifically, the phrase "a reference temperature" in claim 2 is objected to as not being supported by the specification.

The reference temperature is the normal temperature of the generator 1 as discussed on page 16 of the specification. This normal temperature is the temperature at which the generator operates most efficiently.

Therefore, claim 2 is amended to substitute the phrase "normal temperature" for "a reference temperature." Withdrawal of the objection to the specification is respectfully requested.

Claim Objections

Claims 5-8 are objected to due to informalities. Specifically, the Examiner has suggested changing the term "a conduction" to "a conductor." The applicant regrets that he cannot comply

with the Examiner's request. First, the term "conductor" is a term representing the medium or body for carrying electrical current, such as a wire or cable. Therefore, the use of the phrase "conductor angle" would not be suitable for describing the fired state rate of a semiconductor rectifier element. Moreover, the phrase "conduction angle" is also used in Shimizu et al. (U. S. Patent 6,130,486). Therefore, withdrawal of the objection to the claims is respectfully requested.

Claim Rejections under 35 USC §112

Claims 1-10 are rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which is regarded as the invention. Specifically, claims 1-4 lack antecedent basis for the term "the temperature." Claim 1 is amended to read "a temperature." Further, claim 2 was rejected for use of the term "a reference temperature." As previously discussed, claim 2 is amended to read a "normal temperature." Therefore, withdrawal of the rejection of claims 1-10 under 35 USC §112, second paragraph is respectfully requested.

Claim Rejections under 35 USC §103

Claims 1-10 have been rejected under 35 USC §103(a) as being unpatentable over Shimizu et al. (U.S. Patent No. 6,130,486) in view of Wakashiro et al. (U.S. Patent No. 6,424,053 B1).

At the outset it should be noted that Shimizu et al. (U.S. Patent No. 6,310,486) and Wakashiro et al. (U.S. Patent No. 6,424,053 B1) are assigned to Honda Giken Kogyo Kabushiki

as is the present application, as evidenced by the assignment statement attached and the front covers of both patents also attached. It should also be noted that Shimizu et al. (U.S. Patent No. 6,130,486) issued as a Patent on October 10, 2000 and the priority date for the present application is June 30, 2000. Therefore, in order for Shimizu et al. to be utilized as prior art under 35 USC § 103 (a), it must qualify under 35 USC § 102 (e). In this case, it does since this Patent was granted to another inventive entity and issued as a Patent after the date of invention (the priority date) of the present application.

Under 35 USC § 103 (c), Shimizu et al. may not be utilized as prior art if it solely qualifies as prior art under 35 USC § 102 (e) and Shimizu et al. and the present invention were under obligation of assignment to the same assignee. It should also be noted that Wakashiro et al. (U.S. Patent No. 6,424,053 B1) also may not be used as prior art under 35 USC § 103 (c) for the same reasons previously discussed. Therefore, the applicant traverses the Examiner's grounds of rejection since all the references relied upon in the rejection may not be used as prior art under 35 USC §103(c).

Therefore, withdrawal of the rejection of Claims 1-10 under 35 USC §103(a) as being unpatentable over Shimizu et al. (U.S. Patent No. 6,130,486) in view of Wakashiro et al. (U.S. Patent No. 6,424,053 B1) is respectfully requested.

Conclusion

In view of the aforementioned amendments and accompanying remarks, claims 1 and 2, as amended, are in condition for allowance, which action, at an early date, is requested.


If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosures: Version with markings to show changes made
Assignment
cover pages of USP 6,130,486 and USP 6,424,053